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CENUNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORKIN CLERK'S
U.S. DISTRICT COURT
★PM
XALEXANDER WILLIAMS, a/k/a Uwziah Murray,
Plaintiff,

-against-

**STIPULATION AND ORDER
OF SETTLEMENT AND
DISCONTINUANCE**

05 CV 2487 (FB)(KAM)

THE CITY OF NEW YORK, DETECTIVE ONDRE
JOHNSON (Shield 6743), JOHN DOE 1,

Defendants.

X

WHEREAS, plaintiff commenced the instant action by filing a complaint on May 23, 2005, alleging that defendants violated his civil and state common law rights;

WHEREAS, defendants have denied any and all liability arising out of plaintiff's allegations;

WHEREAS, the parties now desire to resolve the issues raised in this litigation, without further proceedings and without admitting any fault or liability; and

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, as follows:

1. The above-referenced action is hereby dismissed with prejudice, and without costs, expenses, or fees in excess of the amount specified in paragraph "2" below.
2. Defendant City of New York hereby agrees to pay plaintiff the total sum of FORTY THOUSAND DOLLARS (\$40,000), in full satisfaction of all claims, including claims for costs, expenses and attorney fees. In consideration for the payment of this sum, plaintiff agrees to the dismissal of all the claims against the individually named defendants and

to release all defendants, any present or former employees and agents of the City of New York and the New York City Police Department, and the City of New York from any and all liability, claims, or rights of action arising from and contained in the complaint in this action, including claims for costs, expenses and attorney fees.

3. Plaintiff shall execute and deliver to defendants' attorney all documents necessary to effect this settlement, including, without limitation, a General Release based on the terms of paragraph "2" above, and an Affidavit of No Liens.

4. Nothing contained herein shall be deemed to be an admission by any of the defendants that they have in any manner or way violated plaintiff's rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules, regulations or bylaws of any department or subdivision of the City of New York. This stipulation and settlement shall not be admissible in, nor is it related to, any other litigation or settlement negotiations not set forth herein.

5. Nothing contained herein shall be deemed to constitute a policy or practice of the City of New York and/or the New York City Police Department.

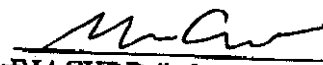
6. This Stipulation and Order contains all the terms and conditions agreed upon by the parties hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of the instant proceeding shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

Dated: New York, New York
July 14, 2005

Richard J. Cardinale, Esq.
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City of New York
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100 Church Street
New York, New York 10007
(212) 788-0845

By:


~~RICHARD J. CARDINALE (RC 7507)~~
Richard J.

By:


PHILIP KIM (PK 9384)

SO ORDERED:



U.S.D.J. 11/2/05



MICHAEL A. CARDOZO
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
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July 19, 2005

BY MAIL

Honorable Frederic Block
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

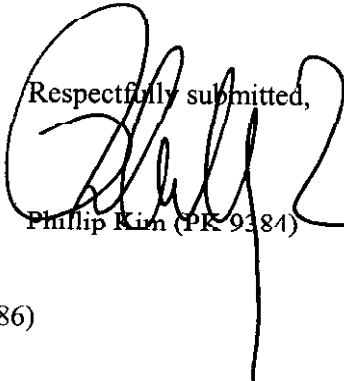
Re: Alexander Williams v. City of New York, et al.
05 CV 2487 (FB)(KAM)

Your Honor:

I represent defendants in the above referenced civil action. As the Court may recall the parties have agreed to resolve this action via settlement. As such the parties submit the enclosed stipulation and order of settlement and discontinuance for Your Honor's endorsement.

Thank you for your consideration herein.

Respectfully submitted,


Phillip Kim (PK 9384)

cc: Hon. Kiyo A. Matsumoto, USMJ (by fax (718) 797-7386)
Richard Cardinale, Esq. (by (718) 624-4748)